REMARKS

Claim 5 was objected to because of an informality. Claims 1 to 8 were rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 to 8, 10 and 11 were rejected under 35 U.S.C. §102(b) as being anticipated by Leichnitz et al. (U.S. Patent No. 6,142,463).

Claims 1 and 5 have been amended.

Reconsideration of the application based on the following is respectfully requested

Claim Objections

Claim 5 was objected to because of an informality. Applicants thank Examiner for pointing out the error in claim 5 and have corrected it with this amendment. Withdrawal of the objection to claim 5 is respectfully requested.

Rejection under 35 U.S.C. §112

Claims 1 to 8 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 has been amended to provide proper antecedent basis.

Withdrawal of the rejections to claim 1 and its dependent claims under 35 U.S.C. §112 is respectfully requested.

Rejections under 35 U.S.C. §102(b)

Claims 1 to 8, 10 and 11 were rejected under 35 U.S.C. §102(b) as being anticipated by Leichnitz et al. (U.S. Patent No. 6,142,463).

Leichnitz discloses that a "provision is made for parameters to be assigned to drive unit 13, such that an identical switch-on time generated by control unit 14 and received by both drive control unit 12 of the feeder 2 and drive unit 13 of the auxiliary pile-carrying assembly 3 causes auxiliary pile-carrying assembly 3 and main pile-carrying assembly 19 of the feeder 2 to move identically. This means that the movements of motors 7 and 11 will have the same areas under their curves in their respective rotational-speed vs. time diagrams." (See, e.g. column 5, lines

11-19). The "same areas under their curves" does not define simultaneous movements. Furthermore, Leichnitz states, "the switching signal S for the drive unit 12 has a ***time lag*** with respect to the switching signal S for the drive unit 13 of the auxiliary pile-carrying assembly" (see, e.g. column 5 lines 24-26). Although the signals have identical shape, they are not simultaneous. Fig. 2 of '463 patent further supports this interpretation. Curve 13 in Fig. 2 is displaced to the right of curve 12. The displacement represents a time lag or temporal variance.

Claims 1 and 11 recite a "start signal simultaneously initiating a movement of the main pile" and the auxiliary pile. Leichnitz does not disclose such a start signal as claimed but rather discloses a control signal *that intentionally has a time lag in switching drive units 12 and 13 on*, resulting in the auxiliary pile carrying assembly 3 having a time lag from main pile-carrying assembly 19 (see, e.g. Fig. 2, column 5, lines 22 to 27).

Withdrawal of the rejections under 35 U.S.C. §102(b) to claims 1 and 11 and their dependent claims thus is respectfully requested.

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,

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